

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JOSEPH McDANIELS,

Petitioner,

Case No. C12-2003-RSM

V.

JACK FOX,

### Respondent.

Case No. CTF 2005 RSM

The Court, having reviewed the Report and Recommendation of United States Magistrate Judge Brian A. Tsuchida, the governing law, and the balance of the record, does hereby find and

**ORDER:**

## ORDER:

(1) The Report and Recommendation is **ADOPTED**;

(2) This 28 U.S.C. § 2241 petition (Dkt. 1) is **DENIED** and the matter is **DISMISSED** with prejudice;

(3) The motion for the TRO (Dkt. 2) is **DENIED**; and

(4) The Clerk of Court is directed to send copies of this Order to petitioner and to

DATED this 22 day of January 2013.

Ricardo S. Martinez  
RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE